UNITED STATES PATENT AND TRADEMARK OFFICE

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10/697,750	10/29/2003	Brian D. Peavey	10991191-2	8767

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EXAMINER
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ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United
States before the invention thereof by the applicant for patent, or on an international application by another who
has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

2.   Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Bloomquist et al

(U.S. patent 6,295,133)

Regarding claim 1, 6 and 14 Bloomquist et al disclose: An image forming system (note Fig.1)

comprising: a host computer (note Fig.1, items 40, column 6, lines 64-67) including: a memory

device configured to store original data (note column 7, lines 31-39 where in the images are

transmitted and stored in the server, and column 8, lines 36-53, wherein the images would be

stored in the computer or front ends) and an interface configured to receive edits of the original

data providing edit date (note column 9, lines 13-29 and 40-51 wherein the original data and

modified or edited data received by the configured interface) and an image forming device

including; an input coupled with the host computer and configured to receive the original data and the edit data (note column 7, line 61 to column 8, line 10 and column 11, lines 34-55) a processor configured to process the original data prior to the image forming device receiving the edit data (note Fig.11, steps 130 to 234, column 13, lines 33-46, wherein the original image is processed and stored before the modified of edit data is received) and to process the edit data after the processing the original data (note Fig.11, steps 236-240, wherein the edited or modified data is processed after the original data, column 13, line 47 to column 14, line 17) and an image engine configured to form an image corresponding to the processed original data and the processed edit data (note Fig.11, items 242-244, wherein the original data and edit data are merged to form the final image, column 14, lines 16-29).

Regarding claim 2 Bloomquist et al: The system according to claim 1 wherein the processor of the image forming device is configured to rasterize the original data and the edit data to provide the processing (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 3 Bloomquist et al: The system according to claim 1 wherein the interface of the host computer and the input of the image forming device are individually configured to receive commands and the image engine is configured to form the image responsive to the commands (note Fig.3, column 9, lines 14-29).

Regarding claim 4 Bloomquist et al disclose: The system according to claim 1 wherein the image engine comprises a print engine configured to form the image upon media (note column 10, lines 31-59).

Regarding claim 5 Bloomquist et al disclose: The system according to claim 1 wherein the host

computer includes a processor configured to execute image specification instructions and printer driver instructions (note column 9, lines 40-52).

Regarding claim 7 Bloomquist et al disclose: The method according to claim 6 further comprising receiving an image command after the first receiving (note Fig.3, column 9, lines 14-29).

Regarding claim 8 Bloomquist et al disclose: The method according to claim 6 further comprising receiving an image command after the second receiving (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 9 Bloomquist et al disclose: The method according to claim 6 wherein the first processing and second processing individually comprise rasterizing (note Fig.11 steps 230-234 and steps 236-240).

Regarding claim 10 Bloomquist et al disclose: The method according to claim 6 wherein the forming comprises forming the image upon media using a print engine (note column 10, lines 31-59).

Regarding claim 11 Bloomquist et al disclose: The method according to claim 6 further comprising: providing a host computer; and executing image specification instructions using the host computer providing the original data and the edit data (note column 7, line 61 to column 8, line 10).

Regarding claim 12 Bloomquist et al disclose: The method according to claim 6 wherein the first processing comprises beginning processing before the second receiving (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 13 Bloomquist et al disclose: The method according to claim 6 wherein the

second receiving comprises receiving after the first receiving of the entire original data (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 15 Bloomquist et al disclose: The method according to claim 14 further comprising: applying an image command to the image forming device using the host computer after the first applying and the forming is responsive to the applying the image command (note Fig.3, column 9, lines 14-29).

Regarding claim 16 Bloomquist et al disclose: The method according to claim 14 further comprising applying an image command to the image forming device using the host computer after the second applying and the forming is responsive to the applying the image command (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 17 Bloomquist et al disclose: The method according to claim 14 wherein the processings individually comprise rasterizing (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 18 Bloomquist et al disclose: The method according to claim 14 wherein the forming comprises forming the image upon media using a print engine (note column 10, lines 31-59).

Regarding claim 19 Bloomquist et al disclose: The method according to claim 14 further comprising executing image specification instructions using the host computer providing the original data and the editing (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 20 Bloomquist et al disclose: The method according to claim 14 wherein the processing the original data comprises beginning processing before the second applying (note

Fig.11, steps 230-234, which indicates the creation of the original data first and then the steps 236-240, wherein the second applying of editing takes place).

Regarding claim 21 Bloomquist et al disclose: The system according to claim 1 wherein the interface is configured to receive the edits comprising edits of content of the original data (note Fig.11, steps 236-240, note column 13, line 47 to column 14, line 29).

Regarding claim 22 Bloomquist et al disclose: The system according to claim 1 wherein the interface is configured to receive the edits comprising edits entered by a user (note Fig.11, steps 236-240, note column 13, line 47 to column 14, line 29 where user using mouse or keyboard would edit the original data to make edited data).

Regarding claim 23 Bloomquist et al disclose: The system according to claim 1 wherein the image engine is configured to form the image using the processed original data and the processed edit data (note Fig.11, steps 242-244, wherein the print engine would merge and print the combined image on the media, column 14, lines 16-29).

Regarding claim 24 Bloomquist et al disclose: The system according to claim 1 wherein the interface is configured to receive the edits comprising edits of less than all of the original data (note column 15, lines 19-60).

Regarding claim 25 Bloomquist et al disclose: The method according to claim 6 wherein the second receiving comprises receiving the edit data comprising edit data which changes content of the original data (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 26 Bloomquist et al disclose: The method according to claim 14 wherein the editing comprises changing content of the original data (note Fig.11, column 13, line 33 to column 14, line 29).

Regarding claim 27 Bloomquist et al disclose: The method according to claim 14 wherein the editing comprises editing responsive to edits indicated by a user (note Figs. 14A-14I, wherein the user interface is designated for the user or make modification of the image to be combined by the original image to be printed).

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeid Ebrahimi-dehKordy whose telephone number is 571-272-7462. The examiner can normally be reached on Mon-Fri,8:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Saeid Ebrahimi-dehKordy/
Primary Examiner, Art Unit 2625
April 21, 2008